

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

THE PROCTER & GAMBLE COMPANY)
and THE GILLETTE COMPANY,)

Plaintiffs,)

v.)

Civil Action No. 06-443 GMS

SUSAN HARRISON; WILLIAM)
HARRISON III, individually and as a)
Trustee for the Harrison Family Trust and)
Emily Waldrup Trust; CINDY NOSSER;)
KATHY ALLEN; PAT ALLEN;)
TINA HARRISON; W.G. HARRISON IV;)
LARRY LUXENBERG; and)
JOHN SHELTON,)

Defendants.)

ORDER

WHEREAS, on July 21, 2006, the plaintiffs, Procter & Gamble Company (“Procter & Gamble”) and the Gillette Company (“Gillette”) filed this action against Susan Harrison, William Harrison III, individually and as a Trustee for the Harrison Family Trust and Emily Waldrup Trust, Cindy Nosser, Kathy Allen, Pat Allen, Tina Harrison, W.G. Harrison IV, Larry Luxenberg, and John Shelton (collectively, the “defendants”);

WHEREAS, the two-count complaint sought declaratory judgment and alleged that the defendants had breached a contract with Gillette by bringing a tort claim against Procter & Gamble in Texas (the “Texas case”)¹ (D.I. 1);

WHEREAS, on October 10, 2006, the defendants filed a motion to dismiss (D.I. 27);

¹ *Harrison et al. v. The Procter & Gamble Company*, No. 06-121 (N.D. Tex. removed from state court on July 25, 2006).

WHEREAS, on May 22, 2007, Procter & Gamble and Gillette requested that this court defer ruling on the defendants' motion until Procter & Gamble's second motion to dismiss in the Texas case was decided (D.I. 39)²;

WHEREAS, plaintiffs' counsel was to "immediately advise [this court] of the Texas court's decision as soon as it is issued" (*id.*);

WHEREAS, on May 23, 2007, Procter & Gamble voluntarily dismissed its claims in this action (D.I. 40);

WHEREAS, on February 4, 2008, in the Texas case, Procter & Gamble's second motion to dismiss was denied as moot because Procter & Gamble had settled its dispute with the Texas plaintiffs³;

WHEREAS, this action's docket reflects no subsequent filings;

IT IS HEREBY ORDERED THAT:

The parties submit a joint non-argumentative letter of no more than two pages advising the court as to the status of this action within ten (10) days of the entry of this Order.

Dated: May 5, 2008

/s/ Gregory M. Sleet
CHIEF, UNITED STATES DISTRICT JUDGE

² Procter & Gamble's first motion to dismiss was denied on the merits. *Harrison v. Procter & Gamble Co.*, 2007 U.S. Dist. LEXIS 8988 (N.D. Tex. Feb. 8, 2007).

³ *Harrison et al. v. The Procter & Gamble Company*, No. 06-121 (N.D. Tex. Feb. 4, 2008) (D.I. 69).